

REMARKS

Claims 1-11 are pending in this application. Claims 1-3 are amended. A new Abstract is submitted. The Specification is amended. Claims 4-11 are added. No new matter is added by the amendments. Entry at this time is proper.

Favorable reconsideration and allowance of the present patent application are respectfully requested. These amendments, in conjunction with the following remarks, are believed to place the application in immediate condition for allowance. Accordingly, entry of these amendments and favorable consideration of the application are respectfully requested.

While claims 1-3 are amended, Applicants do not concede that the Office Action's statutory rejections are proper. The amendments are understood to not narrow the scope of the claimed embodiments nor have they been made for reasons related to patentability. Rather, the amendments are made to clarify the claimed embodiments. Thus, in future construction or interpretation, the amended claims should be entitled to a full range of equivalents.

Applicants note that the Examiner acknowledges the claim for foreign priority under 35 U.S.C. § 119.

OBJECTIONS

The Abstract stands objected to for certain informalities. Applicants respectfully traverse. Applicants submit a new Abstract to correct the

informalities. Applicants respectfully request that the Examiner withdraw the objections.

Applicants also submit an Amendment to the Specification that better describes Figure 1. The description of Figure 1 is not new matter and support for the amendment may be found within Figure 1 itself. Thus, entry at this time is proper.

REJECTIONS

Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent Publication No. 2002/0035495 (Spira et al.). Applicants respectfully traverse the rejections in view of the foregoing amendments and the following remarks.

To anticipate, the cited publication must disclose each and every element of the claimed invention. Applicants maintain that Spira does not disclose each and every limitation of independent claims 1 and 2. Specifically, Spira does not disclose monitoring equipment with an information retrieval unit installed in the facility site to collect operating state information regarding the equipment.

Spira relates to a method of providing maintenance services by providing an assessment of the maintenance and technical service needs of a plant and recommending services for outsourcing that are selected from a menu of services. Spira describes processes to provide fitness for plants by maintenance outsourcing. Spira does not disclose a specific method or system for servicing and

maintaining equipment according to the disclosed embodiments. For example, Spira describes that full responsibility for maintenance of all or just part of the plant is taken, emergency services are provided to compensate for work force shortages and breakdowns, specific plants and machines are operated and maintained, and maintenance consulting and optimization is provided (page 3, paragraph 0050). The identification of specific abnormalities, however, within the equipment is not addressed by Spira.

As for maintenance, Spira describes tools and measuring equipment are supplied and advice thereon is given. In a control center, the answers for reporting inquiries around the clock or returning calls by qualified engineers are provided within a time limit that is stipulated. For teleservicing, on-line connections are made between the system specialist and the process control system to enable rapid fault diagnosis and direct access to the system.

Spira is silent regarding the monitoring of equipment with an information retrieval unit that collects operating state information regarding the equipment. Spira does not disclose collecting operating state information regarding the equipment in providing its fault diagnosis or maintenance outsourcing. Thus, Spira does not disclose each and every element of the claimed embodiments. For at least these reasons, Applicants respectfully request that the Examiner withdraw the anticipation rejections.

CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact William F. Nixon (Reg. No. 44,262) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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